

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: CASE NO. 16-30459

Kimberley MH Bolden CHAPTER 13

Debtor. Judge Hon. Jack B. Schmetterer

**RESPONSE IN SUPPORT OF CHAPTER 13 TRUSTEE'S MOTION TO DISMISS FOR
FAILURE TO MAKE PLAN PAYMENTS (Doc. 122)**

US Bank Trust National Association as Trustee of the Cabana Series IV Trust
("Creditor"), by and through their undersigned counsel, hereby files this Response in Support of
Chapter 13 Trustee's Motion to Dismiss for Failure to Make Payments, doc. 122. Creditor states
as follows:

1. On September 26, 2016, Kimberley MH Bolden ('Debtor') filed a petition for relief under Chapter 13 of the Bankruptcy Code.
2. Prior to the filing of the petition, Movant was granted a security interest in certain real property owned by the Debtor. The Mortgage Lien is in the real property located at 1929 N HOWE STREET CHICAGO, IL 60614-0000.
3. The Mortgage was recorded with the Cook County Recorder's Office.
4. The loan matured as of April 01, 2009.
5. On May 11, 2021, the Chapter 13 Trustee filed a Motion to Dismiss for Failure to Make Plan Payments.
6. This is the Chapter 13 Trustee's seventh Motion to Dismiss for Failure to Make Plan Payments in this case.

7. Creditor has not received a distribution from the Chapter 13 Trustee since August 31, 2020.
8. Creditor has not received any follow-up to Creditor's April 23, 2021 settlement proposal subsequent to the below e-mail. There are no current settlement discussions between the parties that are pending.

From: Michael Colter <mcolter@davidmsiegel.com>
Sent: Friday, April 23, 2021 2:02 PM
To: Jon Lieberman <Jon.Lieberman@sottileandbarile.com>
Subject: Re: Kimberly Bolden 16-30459/ SN Servicing

Received, I will take a look at the case and speak with my client. After that I will email you.

Sincerely,

Michael R. Colter, II

Attorney at Law

David M. Siegel & Associates, LLC

790 Chaddick Drive

Wheeling, IL 60090

WHEREFORE, Creditor requests that the Chapter 13 Trustee's Motion to Dismiss for Failure to Make Payments be Granted.

Respectfully Submitted,

/s/ Jon J. Lieberman
Jon J. Lieberman (OH 0058394)
Sottile & Barile, Attorneys at Law

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Attorney for Creditor

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing, as to the Trustee and Debtor's Counsel via electronic notice on 5/17/2021 and as to the Debtor by causing same to be mailed in a properly addressed envelope, postage prepaid, from 394 Wards Corner Rd., Suite 180, Loveland, Ohio 45140.

M.O. Marshall, Trustee, ecf@tvch13.net

Christine H Clar, Debtor's Counsel, author@proofofpayments.com

David M Siegel, Debtor's Counsel, davidsiegelbk@gmail.com

Kimberley MH Bolden, Debtor, 1929 N. Howe Street, Unit #1E, Chicago, IL 60614

Jon J. Lieberman

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Attorney for Creditor